

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/649,214

Filing Date:

August 26, 2003

Applicant:

Jascob, et al.

Group Art Unit:

3737

Examiner:

To Be Assigned

Title:

METHOD

AND

APPARATUS

FOR

ELECTROMAGNETIC NAVIGATION OF A SURGICAL

PROBE NEAR A METAL OBJECT

Attorney Docket:

5074A-000001/COB

Director of the United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF OFFICIAL FILING RECEIPT

Dear Sir:

Applicants respectfully request issuance of a corrected filing receipt to correct errors found on the issued updated filing receipt. Upon review of the above-identified file, it was noted that on November 18, 2003, an Official Filing Receipt was mailed, along with a Notice of Omitted Items (copy enclosed). The Official Filing Receipt identified the projected publication date was to be determined, pending completion of the Notice of Omitted Items. No response was necessary to the Notice of Omitted Items, pursuant to MPEP §201.06(c)B1 (page 200-38). However, a Preliminary

Amendment was filed on January 9, 2004 that included replacement drawing sheets.

On March 9, 2004, an Updated Official Filing Receipt was issued with the projected

publication date and an incorrect filing date (copy enclosed). Applicants respectfully

request the official filing date be corrected to the original filing date of --August 26,

2003-- (copy of acknowledgment postcard enclosed).

Applicants respectfully request that the Patent Office issue another corrected

filing receipt and update the records in accordance with the above corrections.

Please direct any questions regarding this matter to the undersigned at the

below-listed number.

Respectfully submitted,

Dated: 4/16,2007

Richard W. Warner

Reg. No. 38,043

HARNESS, DICKEY & PIERCE, P.L.C.

P.O. Box 828

Bloomfield Hills, Michigan 48303

Phone: (248) 641-1600



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY.DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|----------------|----------|----------|----------|
| 10/649,214 | 08/26/2003 | 3737 | 1374 | 5074A0001COB | 10 | 50 | 4 |

CONFIRMATION NO. 6133

27572 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303

FILING RECEIPT

OC000000011296020

Date Mailed: 11/18/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Bradley Jascob, Broomfield, CO; David Simon, Boulder, CO; Paul Kessman, Boulder, CO; Aaron Smith, Denver, CO;

Domestic Priority data as claimed by applicant

This application is a CON of 09/873,604 06/04/2001 PAT 6.636,757

Foreign Applications

If Required, Foreign Filing License Granted: 11/17/2003

Projected Publication Date: To Be Determined - pending completion of Omitted Items

Non-Publication Request: No

Early Publication Request: No

Title

Method and apparatus for electromagnetic navigation of a surgical probe near a metal object



ART UNIT

3737

FIL FEE REC'D

1374

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Vinguis 22313-1450

ATTY.DOCKET NO DRAWINGS TOT CLMS IND CLMS

5074A-000001/COB

10 50 4

CONFIRMATION NO. 6133

UPDATED FILING RECEIPT

OC00000012051397

27572 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303

FILING OR 371

(c) DATE

01/09/2004

APPL NO.

10/649,214

Date Mailed: 03/09/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Bradley Jascob, Broomfield, CO; David Simon, Boulder, CO; Paul Kessman, Boulder, CO; Aaron Smith, Denver, CO;

Domestic Priority data as claimed by applicant

This application is a CON of 09/873,604 06/04/2001 PAT 6,636,757

Foreign Applications

If Required, Foreign Filing License Granted: 11/17/2003

Projected Publication Date: 06/17/2004

Non-Publication Request: No

Early Publication Request: No

Title

Method and apparatus for electromagnetic navigation of a surgical probe near a metal object

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).